

House File 2234 - Introduced

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A BILL FOR

- 1 An Act relating to the authority of peace officers to
- 2 investigate and enforce human trafficking laws.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 80.9A, subsection 6, Code 2016, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *h.* When engaged in the investigation and
4 enforcement of human trafficking laws.

5 Sec. 2. NEW SECTION. **817A.1 Definitions.**

6 For purposes of this chapter:

7 1. "*Employing agency*" means the state agency or governmental
8 subdivision that employs a peace officer.

9 2. "*Human trafficking*" means the same as defined in section
10 710A.1.

11 3. "*Peace officer*" means the same as defined in section
12 801.4.

13 Sec. 3. NEW SECTION. **817A.2 Statewide authority for peace**
14 **officers to investigate and enforce human trafficking laws.**

15 1. A peace officer shall have the peace officer's full
16 powers and authorities throughout the state to investigate and
17 enforce laws related to human trafficking.

18 2. A peace officer who investigates or enforces laws related
19 to human trafficking outside of the jurisdictional limits of
20 the peace officer's employing agency under the authority of
21 this section shall be deemed to be acting in the scope of
22 the peace officer's employment and shall not be considered
23 an employee of another law enforcement agency due to such
24 investigation or enforcement.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill relates to the authority of a peace officer to
29 investigate and enforce human trafficking laws.

30 The bill defines "peace officer" as the same as defined in
31 Code section 801.4, which includes sheriffs and their regular
32 deputies, marshals and police officers of cities, peace officer
33 members of the department of public safety, parole officers,
34 probation officers, special security officers employed by
35 board of regents institutions, conservation officers, certain

1 employees of the department of transportation and of an
2 aviation authority, and other persons as may be designated by
3 law.

4 The bill defines "human trafficking" as the same as defined
5 in Code section 710A.1, which includes the participation in a
6 venture to recruit, harbor, transport, supply provisions, or
7 obtain a person for the purpose of forced labor or commercial
8 sexual activity through the use of force, fraud, or coercion,
9 except that if the trafficked person is under the age of 18,
10 the commercial sexual activity need not involve force, fraud,
11 or coercion. "Human trafficking" also means the knowing
12 purchase or attempt to purchase services involving commercial
13 sexual activity from a victim or another person engaged in
14 human trafficking.

15 The bill defines "employing agency" as the state agency or
16 governmental subdivision that employs the peace officer.

17 The bill enacts new Code section 817A.2, which provides that
18 a peace officer shall have the peace officer's full powers
19 and authorities throughout the state while investigating and
20 enforcing laws related to human trafficking, even if the peace
21 officer is outside of the jurisdictional limits of the peace
22 officer's employing agency.

23 The bill provides that a peace officer who investigates
24 or enforces laws related to human trafficking outside of the
25 jurisdictional limits of the peace officer's employing agency
26 under the authority of new Code section 817A.2 shall be deemed
27 to be acting in the scope of the peace officer's employment and
28 shall not be considered an employee of another law enforcement
29 agency due to such investigation or enforcement.

30 Under current Code section 80.9A, a peace officer
31 employed by the department of public safety does not, in all
32 circumstances, have the general powers of a peace officer
33 while within the limits of a city to investigate and enforce
34 human trafficking laws. The bill provides that a peace
35 officer employed by the department of public safety in all

1 circumstances has the general powers of a peace officer while
2 within the limits of a city to investigate and enforce human
3 trafficking laws.